§ 710.5 Definitions.

(a) As used in this subpart:

Access authorization means an administrative determination that an individual is eligible for access to classified

(c) If the individual is currently awaiting a hearing or trial, or has been convicted of a crime punishable by imprisonment of six (6) months or longer, or is awaiting or serving a form of preprosecution probation, suspended or deferred sentencing, court ordered probation, or parole in conjunction with an arrest or criminal charges initiated against the individual for a crime that is punishable by imprisonment of six (6) months or longer, DOE may suspend processing an application for access authorization until such time as the hearing, trial, criminal prosecution, suspended sentencing, deferred sentencing, probation, or parole has been completed.

(e) DOE may suspend processing an application for access authorization if sufficient information about the individual’s background cannot be obtained to meet the investigative scope and extent requirements for the access authorization requested.

(d) DOE may suspend processing an application for access authorization until such time as a question regarding an individual’s national allegiance is resolved. For example, if an individual is exercising rights of citizenship conferred by a country other than the United States, DOE will be concerned with whether granting access authorization to that individual constitutes an unacceptable national security risk.

(g) If an individual believes that the provisions of paragraph (c), (d), or (e) of this section have been inappropriately applied, a written appeal may be filed with the Director, Office of Personnel Security, DOE Headquarters, within 30 calendar days of the date the individual was notified of the action. The Director shall act on the written appeal as described in §710.6(c).

§ 710.5 Definitions.

(a) As used in this subpart:

Access authorization means an administrative determination that an individual is eligible for access to classified
§ 710.6 Cooperation by the individual.

(a)(1) It is the responsibility of the individual to cooperate by providing full, frank, and truthful answers to DOE’s relevant and material questions, and when requested, to furnish or authorize others to furnish information that the DOE deems pertinent to the individual’s eligibility for DOE access authorization. This obligation to cooperate applies when completing security forms, during the course of a personnel security background investigation or reinvestigation, and at any stage of DOE’s processing of the individual’s access authorization, including but not limited to, personnel security interviews, DOE-sponsored mental evaluations, and other authorized DOE investigative activities under this subpart. The individual may elect not to cooperate; however, such refusal may prevent DOE from reaching an affirmative finding required for granting or continuing access authorization. In this event, any access authorization then in effect may be terminated, or, for applicants, further processing may be suspended.

(2) It is the responsibility of an individual subject to §709.3(d) to consent to and take an event-specific polygraph examination. A refusal to consent to or take such an examination may prevent DOE from reaching an affirmative finding required for continuing access authorization. In this event, DOE may suspend or terminate any access authorization.

(b) If the individual believes that the provisions of paragraph (a) of this section have been inappropriately applied,